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08/951,630	10/16/1997	ARLENE M VANCE	07099.0010-0	1804

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EXAMINER

POINVIL, FRANTZY

ART UNIT PAPER NUMBER

3628

DATE MAILED: 02/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

08/951,630

Applicant(s)

VANCE ET AL.

Examiner

Frantzy Poinvil

Art Unit

3628

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 99-114 and 166-222 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 99-114 and 166-222 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. Claims 99-102, 198-199 and 213-216 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al (US Patent No. 4,449,186) and Dettelbach et al (US Patent No. 5,253,166).
2. Claims 103-112, 166-212 and 217-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al and Dettelbach et al as applied to claims 99 and 198 above, and further in view of Shoolery et al..
3. Claims 113-114 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al and Dettelbach et al as applied to claim 99 above, and further in view of Kahl et al (US Patent No. 5,936,625).

Applicant's representative argues that the applied references taken alone or in combination fail to teach or suggest the claimed invention.

In response, the Examiner disagrees with applicant's assertion. As noted in the prior Office action, Kelly et al are directed to a computerized reservation system for storing customers' travel information to facilitate self-ticketing for future trips. Trip data records are stored for facilitating travelers in making and obtaining travel tickets at an airport. See the abstract of Kelly et al. The only difference between the teachings of Kelly et al and the claimed invention is that the travel data are not explicitly stated to be frequent trip records. However, the travel data are indeed trip records. The Examiner has turned to Dettelbach et al wherein a travel reservation record keeping system is disclosed. In the system of Dettelbach et al., travel records are kept and maintained in

a database at a computerized reservation system for transmission to a corporate office. Applicant is directed to column 3, lines 40-45 and column 9, lines 34-48 of Dettelbach et al. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the trip records of Dettelbach et al into the reservation system of Kelly et al in order to allow a traveler to automatically obtain an airline ticket for a destination the traveler usually travels in order to facilitate the traveler the trouble in standing in a long line at an airport. Steps of transmitting at least certain aspects of a trip request to a computerized reservation system wherein a new travel reservation is automatically created using the transmitted aspects of the trip request are taught by Kelly et al on column 2, lines 30-52.

Moreover, the examiner notes that all past travel records include a start and end date so as to complete a traveling duration. If the traveler decides to have a new reservation or itinerary, it would have been obvious to one of ordinary skill in the art to note that a start date and a new date would have been necessary to include in the itinerary or reservation or booking in order to complete the ticketing for the traveler.

Applicant's representative then argues that the Examiner admits that Kelly et al fail to disclose a system that creates or forms a new travel reservation system based on frequent trip records.

In response, the Examiner has rejected the claims not solely on Kelly et al but in a combination of Kelly et al and other references as noted in the prior Office action. Travel itineraries are noted to be taught by Dettelbach et al.

Applicant's representative then argues that Dettelbach et al teach away from the claimed invention by expressly disclosing the so-called future usage covers retrieving and organizing pre-travel data for comparison use by corporate clients...between reservation initiation, through ticketing, and up to the actual departure time of the traveler.

In response, these trip records whether or not being described as past trip records or future trip records when introducing into the system of Kelly et al would have been regarded as one or more plurality of trip records associated with at least one potential traveler. When introducing these records in the system of Kelly et al, a user would have simply recalled one of these records at an airport kiosk so as to make a present booking or to obtain a ticket for traveling.

Applicant's representative then argues that Shoolery et al and Kahl et al have failed to overcome the shortcomings of Kelly et al.

In response, Shoolery et al has been applied to show teachings of corporate travelers' associated expenses and expense reports. Kahl et al has been applied to denote showings of a calendaring system. See the prior Office action.

Applicant's representative then argues that the Office action has not addressed features of the many dependent claims.

In response, the Examiner notes that most of these claimed features of these dependent claims are steps usually taken by a traveler in making a travel reservation or in purchasing a travel ticket. Travel dates, time (starting or ending time or date), opportunity to cancel a reservation, the duration of a travel duration are well known variables used by a traveler when purchasing a ticket. Most of these variables are also inputted in a travel ticket for confirmation by the traveler. Applicant is also directed to figure 3 of Dettelbach et al.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 99-102, 198-199 and 213-216 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al (US Patent No. 4,449,186) and Dettelbach et al (US Patent No. 5,253,166).

As per claims 99-102 and 198-199 and 213-215, Kelly et al disclose a self-ticketing system for booking a reservation for a traveler. The system comprises storing

in a database a set of future trip records associated with a traveler and reflecting a travel itinerary. Note column 106, lines 25-29. Kelly et al disclose that a customer inserts a magnetic card onto a terminal which identifies the customer and which automatically displays travel data associated with the customer. Note column 103, lines 34-45. The customer then selects the appropriate flight information or trip record and inserts a traveling date desired to travel. Note column 104, lines 49-57 of Kelly et al. Kelly et al do not explicitly teach the trip records are past or frequent trip records. This is taught by Dettelbach et al. Dettelbach et al disclose a travel reservation system having means for storing customer travel data and past trip data for future usage. See column 3, lines 35-45 of Dettelbach et al. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kelly et al with Dettelbach et al in order to automatically book a traveler's trip based on their prior trip records. The motivation would have been to avoid inserting redundant information related to a particular traveler thereby facilitating a faster customer service time.

As per claim 216, note figure 3 of Dettelbach et al.

6. Claims 103-112, 166-212 and 217-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al and Dettelbach et al as applied to claims 99 and 198 above, and further in view of Shoolery et al..

As per claims 103-112, 179-184 and 210-212, the teachings of Kelly et al and Dettelbach et al are discussed. The combination of Kelly et al and Dettelbach et al does not explicitly teach providing an expense report and populating fields in regard to an expense report. Shoolery et al disclose a travel system and a computer implemented method of managing information in a travel system comprising storing travel information corresponding itineraries and associated expense data, travel policy data in a storage subsystem. The system comprises various databases and forms, which must include populating fields for entering and inputting information therein. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Shoolery et al with Kelly et al and Dettelbach et al in order to monitor employees compliance with an organization's travel policy.

As per claims 166-178, the teachings of Kelly et al and Dettelbach et al are discussed above. The combined teachings fail to explicitly teach restrictions on travel reservations. These teachings are taught by Shoolery et al. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate travel restriction data into Kelly et al and Dettelbach et al in order monitor employees compliance regarding an organization's travel policies and regulations.

As per claims 185-197 and 200-206, Kelly et al disclose prompting a traveler to input a flight number and/or a date of travel. Note column 104, lines 49-51. It is noted that Kelly et al and Dettelbach et al are directed to a computerized reservation system but fail to teach the various obvious steps of displaying necessary information to the user, identifying a beginning, an ending date of a travel reservation and a travel



duration. The Examiner notes that these are common entries in booking a travel reservation that would have been obvious to one of ordinary skill in the art in the system of Kelly et al in order to complete a travel reservation for a traveler.

As per claims 207-209, the combination of Kelly et al and Dettelbach et al. does not explicitly indicate predetermined policies governing travel associated with an entity. These teachings are taught by Shoolery et al. Shoolery et al discloses a corporate travel system having a computerized system comprising a travel planning, expense reporting and travel management system. The system further comprises approval of travel requests before travel expenses are occurred, an automated expense report approval and the planning and booking of air, hotel and car accommodations. Note column 7 to column 8 of Shoolery et al. Corporate and traveler policies are discussed on column 2 and column 8 of Shoolery et al. Having a travel planning and expense reports as taught by Shoolery et al would have been obvious to one of ordinary skill in the art to include in the combination of Dettelbach et al and Kelly et al. in order to monitor employees' travel expenses for abuses and or fraud.

As per claims 217-222, applicant is directed to claims 171-175 and 180 respectively.

7. Claims 113-114 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al and Dettelbach et al as applied to claim 99 above, and further in view of Kahl et al (US Patent No. 5,936,625).

As per claims 113-114, the teachings of Kelly et al and Dettelbach et al are discussed above. The combination of Kelly et al and Dettelbach et al fails to teach or suggest a calendar showing at least one month divided into days having multiple icons associated with a day. Kahl et al teach a calendar showing at least one month divided into days having multiple icons associated with a day. See figures 2, 5 and 8. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Kahl et al into Kelly et al and Dettelbach et al. in order to show a traveler' travel planning and related expense reports.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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*Conclusion*

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (703) 305-9779. The examiner can normally be reached on Monday-Thursday 7:00AM-5:30PM.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

FP  
February 5, 2004

*F. Poinvil*  
FRANTZY POINVIL  
Patent Examiner  
AU 3628